IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

W.P(C).No. 34933 of 2007 (H)

PETITIONER:

C.D.GEORGE,
CHEMBAKASSERY HOUSE, THANISSERY P.O.,
IRINJALAKUDA.

BY ADV. SRI.ANIL SIVARAMAN
SRI.HARIKRISHNAN RAVINDRAN

RESPONDENTS:
----

1. **THE REGIONAL TRANSPORT AUTHORITY,**
   THRISSUR.

2. **THE SECRETARY,**
   R.T.A., THRISSUR.

BY GOVT. PLEADER, SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

= = = = = = = = = = = = = = =

W.P.(C) No. 34933 OF 2007 - H

= = = = = = = = = = = = = = =

Dated this the 4th day of December, 2007

J U D G M E N T

Ext. P5 is a judgment rendered by this Court acting on the submission of the learned Govt. Pleader and directing disposal of Ext. P4 mentioned therein. But now it has come out from Ext. P6 order of the Secretary, RTA that Ext. P4 mentioned in the judgment was already disposed of much earlier to the judgment. The proceedings by which the representation has been disposed of is Ext. P7 in this writ petition. Going by the sequence of events and the contents of Ext. P6 , I am satisfied that the submission on the basis of which the judgment has been rendered is factually incorrect.

2. Coming to the correctness or otherwise of Ext. P7, it is seen that the 1st respondent has rendered the same following the law laid down by this Court and also the orders of STAT. It is settled that the RTA has no power to revise its own timings on the objection of somebody else unless there is any change in the circumstance.

This reasoning of the 1st respondent has to be accepted. In view of this, the only remedy that is available to the petitioner is to file a revision before the STAT if he is aggrieved by Ext. P7.

3. Therefore, without prejudice to the contentions and leaving it open to the petitioner to pursue the matter in revision I close this writ petition. Petitioner points out that since Ext. P7 was communicated only now, the time for filing the revision has expired. Considering this, I direct that if the petitioner files a revision within 15 days from today before the STAT the same will be accepted and considered on merits.

Writ Petition is disposed of as above.

ANTONY DOMINIC
JUDGE

jan/-